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MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY: Lois G. Lerner 
Associate General Counsel

SUBJECT: MUR 4648 – Response to Counsel's September 21, 1999 Letter

On September 16, 1999, this Office circulated, on a 24-hour tally basis, a request from counsel for Respondents New York Republican Federal Campaign Committee and Michael Avella, as treasurer; William D. Powers; and Jeffrey T. Buley, for a 30-day extension of time in which to respond to the General Counsel's Brief in the above-captioned matter. The Commission, on September 17, 1999, voted 5-0 to deny the requested extension. Certification of the Commission's action was received in this Office on September 20, 1999, and counsel was notified by facsimile that day. By letter dated September 21, 1999, counsel moved that the Commission reconsider its September 17, 1999 action. Attachment 1.

Nothing in the statute or the Commission's regulations provides a mechanism for reconsideration of a Commission decision. Moreover, counsel's letter does not provide any new facts that the Commission did not have before it when it denied the extension just four days ago. Therefore, this Office has sent the attached letter to counsel reiterating that a response is due by close of business on September 22, 1999, unless, of course, his clients are willing to toll the statute of limitations. Attachment 2. Should they agree to do so, this Office will grant an extension commensurate with the tolling period.

Attachments

1. September 21, 1999 letter from counsel
2. September 21, 1999 letter to counsel

Staff Assigned: Tony Buckley